IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 474 OF 2006.

Suresh Verma and others. ... Petitioners.

V/s.

State of Maharashtra
and others. ... Respondents.

Gabrel Pillai i/b. Pillai & Co.
for the petitioners.

Ms.Mamta Saad, A.G.P. for respdt.Nos.1, 2 & 4.

Rumi H. Mirza, applicant in person.

CORAM: V.C.DAGA, J.

DATED: 1st March 2006.

P.C.:

. The learned A.G.P. appearing for respondent Nos.1, 2 and 4 submits that in view of the instructions given to her by respondent No.4-Divisional Joint Registrar (Appeals), Co-operative Societies, Mumbai vide letter dated 1st March, 2006, the respondent No.4 may be allowed to withdraw the impugned order dated 9th September, 2005 since it is a cryptic order and does not deal with all the contentions raised by the rival parties. Order accordingly.

2. In view of the withdrawal of the impugned order dated 9th September, 2005, the cause of action for the petition does not survive.

However, it is needless to mention that in view of the withdrawal of the impugned order, appeal proceedings with interim order passed therein shall stand revived and appeal will have to be heard *de novo*. It is, thus, expected that respondent No.4 shall rehear and dispose of the appeal in accordance with law as expeditiously as possible, at any rate, within four months from the date of receipt of the copy of this order. All rival contentions are kept open.

3. Petition stands disposed of for want of cause of action terms of this order with no order as to costs.

(V.C.DAGA, J.)